

Dear Director Linda Hoffman and Director Mary Selecky:

We are writing today as members of the Toxic-Free Legacy Coalition, which represents tens of thousands of citizens in Washington State who are committed to eliminating persistent toxic chemicals like PBDEs.

Together, our coalition would like to thank the Department of Ecology and Department of Health for your excellent work on the draft Chemical Action Plan for PBDEs and to ask that the plan be strengthened to protect our children, wildlife, and food supply from the harmful effects of these chemicals.

We especially applaud your review of the mounting evidence, indicating that deca-BDE (deca) is a problem for public health and the environment. In particular, we support the following concerns, described in your draft plan:

- the plan points to new studies, which demonstrate that deca does build up in humans and suggest that infants may be exposed to higher levels of deca through dust.
- the plan presents strong scientific evidence that deca does break down into furans and more harmful forms of PBDEs.
- the plan recognizes that deca is used in large quantities and will be the only PBDE still in commercial production by December 2004.

This evidence raises serious concerns regarding deca-BDE, and we believe Washington State needs a stronger plan for deca. In order for us to act responsibly and take swift action to phase out all forms of PBDEs, we urge you to make the following changes to the draft PBDE Chemical Action Plan:

- 1) *Currently, a ban on deca is recommended only for consumer-based electronics and upholstery.* While this action would address a significant portion of the deca in use, a complete ban is needed to solve the problem of PBDEs in our breast milk, wildlife, and food supply. In addition, a ban on all uses of deca, including uses applicable to transportation, wiring and cables, and all textiles, would provide a necessary driver for innovation that replaces deca with safer alternatives. It would also ensure that the use of deca will not expand into other applications.

The Departments of Ecology and Health should recommend a ban on deca-BDE for all new products.

- 2) *Currently, the deca ban is recommended for 2008.* Europe is set to ban deca in electronics by 2006, and many companies are already in compliance. There is no reason for us to wait. Added time only means that more deca will pollute our homes, wildlife, and our bodies. In addition, the solution will take longer and be more expensive.

The Departments of Ecology and Health should recommend a consistent timeline that phases out all PBDE products, including those with deca, by 2006.

- 3) *Currently, the state purchasing recommendation falls short, because it only addresses purchasing products free of penta and octa-BDE, which will already be phased out of products.* Since the plan states there is “sufficient evidence to warrant concern” about deca, the state has an obligation to end its purchase of all products that contribute to PBDE contamination of office buildings, schools, breast milk, and the environment, including products containing deca.

The Departments of Ecology and Health should recommend that goods purchased on state contracts not contain penta, octa or deca-BDE.

- 4) *Currently, there are no labeling requirements for products containing deca-BDE.* Labeling is needed to ensure that consumers can make an informed choice about whether to buy a product containing deca-BDE until the ban is in place. In addition, labeling will allow retailers to know whether they are in compliance with the ban and help facilitate the proper disposal of the product. It will also enable recyclers to ensure that the product is properly managed at the end-of life stage.

The Departments of Ecology and Health should recommend that deca products be labeled as containing deca-BDE.

Taking these steps towards deca phase-out are necessary to protect public health and the environment and to shift markets toward safer substitutes. This is a first priority for our coalition. We look forward to working with the Departments of Ecology and Health on a strong PBDE phaseout plan in the coming year.

Sincerely,

Pam Tazioli
The Breast Cancer Fund

Matthew Cacho
Healthy Building Network

Ivy Sager-Rosenthal
People for Puget Sound

Nancy Dickeman
Washington Physicians for Social Responsibility

Mo McBroom
Washington Public Interest Research Group (WashPIRG)

Laurie Valeriano
Washington Toxics Coalition

Aileen Gagney
American Lung Association of Washington

Dave Batker
Asian Pacific Environmental Exchange

Jim Puckett
Basel Action Network

Leslie Ann Rose
Citizens for a Healthy Bay

BJ Cummings
Duwamish River Clean-Up Coalition

Will Anderson
Earth Island Institute Orca Recovery Program

Steve Gilbert
Institute for Neurotoxicology and Neurological Disorders

Tim Coleman
Kettle Range Conservation Group

Mike Petersen
The Lands Council

Janet Primomo, PhD, RN
Nursing Program, University of Washington, Tacoma

Jane Harris
Oregon Center for Environmental Health

Wendy Steffensen
RE Sources for Sustainable Communities

Alice Woldt
Seattle Alliance for Good Jobs and Housing for Everyone (SAGE)

Suellen Mele
Washington Citizens for Resource Conservation

Ginny English
Healthy Mothers, Healthy Babies Coalition of Washington

Kim Radtke
Breast Feeding Coalition of Washington

John Boonstra
Washington Association of Churches

Elise Miller
Institute for Children's Environmental Health

Deb Abramson
S.H.A.W.L. Society (Sovereignty, Health, Air, Water, Land)

Michael Lang
Friends of the Columbia Gorge

Clark Williams-Derry
Northwest Environment Watch

Reverend Paul Benz
Lutheran Public Policy Office

Bruce Herbert
Newground Social Investment

Karen Ahern
Coalition for Environmentally Safe Schools

Karen Holt Luetjen
Seattle Tilth

Tanya Marcovna Barnett
Earth Ministry

Phoebe Yin, ND

Lilamrta Logue